

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)
)
Plaintiff,) **ORDER OF DETENTION**
)
vs.)
)
Dwight Eric Robertson,) Case No. 1:08-cr-015
)
Defendant.)

The court conducted detention hearing in the above-entitled action on March 28, 2008.

AUSA David Peterson appeared on the Government's behalf. Assistant Federal Public Defender Orell Schmitz appeared on Defendant's behalf. United States Postal Inspector Thomas Irvin provided testimony. Arlen Loven, a representative of Matthew House, also provided testimony.

For the reasons articulated at the close of the hearing, the court finds that the Government has met its burden of demonstrating by a preponderance of the evidence that Defendant is a flight risk., by clear and convincing evidence that the defendant is a risk to the community, and that no condition or combination of conditions will reasonably assure Defendant's presence or the safety of other persons and the community. Included as part of the reasons expressed on the record was the nature of the offense charged, strength of the Government's evidence against Defendant, Defendant's history of noncompliance with court orders, Defendant's criminal history, and Defendant's previous efforts to avoid law enforcement and court appearances.

Accordingly, the court **GRANTS** the Government's Motion for Detention (Docket No. 5) and **FURTHER ORDERS** that Defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent

practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 28th day of March, 2008.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court